

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, AUGUST 22, 2007 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Tess Nguyen, Jennifer Villasenor, Rami Talleh, Jeanie Cutler (recording secretary)

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: VARIANCE NO. 2006-010 (STILSON RESIDENCE)

APPLICANT: Chris Detar, 1281 Sunshine Way, Anaheim, CA 92806
PROPERTY OWNER: Charles Stilson, 20402 Seven Seas Lane, Huntington Beach, CA 92646
REQUEST: To permit the construction of a garage/workshop with a 4 ft. separation from the existing single-family dwelling in lieu of the 10 ft. required building separation.
LOCATION: 20402 Seven Seas Lane, 92646 (east side of Seven Seas Lane, north of Indianapolis Avenue)
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Associate Planner, displayed project plans and pictures and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff stated that one neighbor submitted a letter in opposition and spoke directly with staff concerning the garage door being left open. Staff presented the inquiry for the Zoning Administrator's review.

Staff stated that materials of the proposed garage were consistent with that of the main structure.

THE PUBLIC HEARING WAS OPENED.

Chris Detar, applicant, commented that open garage doors were typical throughout the neighborhood.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Broeren stated that she was going to approve the request and asked staff to modify suggested finding No. 2 by removing the word *more* and replacing it with *adequate*.

VARIANCE NO. 2006-010 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15305, Class 5 of the CEQA Guidelines, because the project consists of construction of an accessory structure with a minor building separation variance.

SUGGESTED FINDINGS FOR APPROVAL - VARIANCE NO. 2006-010:

1. The granting of Variance No. 2006-010 for the construction of a garage/workshop with a 4 ft. separation from the existing single-family dwelling in lieu of the 10 ft. required building separation will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification since the variance addresses unique development constraints related to the subject property's irregular shape. The subject property is on a cul-de-sac with a curved front property line which decreases the utility of the lot and creates a design constraint. The reduced building separation allows the garage/workshop to comply with the minimum setback of 20 ft. for a front entry garage.
2. Because of special circumstances applicable to the subject property's shape and location, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The site's irregular shape and its location on an existing cul-de-sac restrict the development of the parcel. Although the lot is bigger than other lots in the vicinity, the curve of the front property line makes it difficult to comply with the building separation requirement. The purpose of the building separation requirement is to allow for adequate light and air between buildings. The availability of adequate open space on the lot due to its larger size provides for the enjoyment of light and air even with the reduced building separation.
3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. Based on the applicable zoning and General Plan designation, the subject property is afforded the right to construct an accessory structure. The requested variance to allow construction of an accessory structure with less than the required building separation on a property with an irregular shape is necessary to preserve the development rights afforded by the corresponding residential land use designation.

4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The reduction in building separation will not create a detriment to other properties in the neighborhood because the garage/workshop is adjacent to a cul-de-sac rather than adjacent to another residence. The accessory structure is next to the flood channel to the east and at least 100 ft. away from any residential structures to the north and west, across Seven Seas Lane. The subject accessory structure will comply with all other applicable development standards.
5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Low Density Residential on the subject property which permits accessory structures. The variance for a garage/workshop with a 4 ft. separation from the existing single family dwelling in lieu of the 10 ft. required building separation does not conflict with any of General Plan goals and policies that promote the development of residential buildings that convey a high quality visual image and character. In addition, the proposed project is consistent with the following General Plan policy:

LU 9.1.1 Accommodate the development of single- and multi-family residential units in areas designated by the Land Use Plan Map, as stipulated by the Land Use and Density Schedules in the General Plan Land Use Element.

SUGGESTED CONDITIONS OF APPROVAL VARIANCE NO.2006-010:

The site plan, floor plans, and elevations received and dated July 30, 2007 shall be the conceptually approved design.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

ITEM 2: NEGATIVE DECLARATION NO. 2007-003

APPLICANT/ PROPERTY OWNER:	Paul Hirezi, 22362 Wallingford Lane, Huntington Beach, CA 92646
REQUEST:	To analyze the potential environmental impacts associated with a proposal to demolish an existing single-family dwelling and accessory structures located within the Wesley Park Section, a potentially historic district identified in the Historic and Cultural Resources Element of the City of Huntington Beach General Plan.
LOCATION:	737 Main Street (west side of Main Street, south of Crest Avenue)
PROJECT PLANNER:	Jennifer Villasenor

Jennifer Villaseñor, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff stated that the property is listed in the Wesley Park section, an area of historic significance as identified in the Historical and Cultural Resources Element of the City of Huntington Beach General Plan. The property is not eligible for any State or local historical funding, and has a C rating. The residence has had several alterations over the years and therefore, does not reflect the original image of the neighborhood.

Staff received five comment letters during the comment period and two on the day of the hearing. One letter was in support, four were in opposition, one made general comments, and one letter from the Historic Resources Board (HRB) commented on the EA.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary.

Mary Beth Broeren, Zoning Administrator, reviewed photos of site, the environmental assessment, and the comment letters.

THE PUBLIC HEARING WAS OPENED.

Joseph Santiago, Chairman of the HRB, spoke regarding major concerns with building size, financial benefits of preserving structure, and additional square footage to the structure. Mr. Santiago requested that the HRB's letter be shared with the developer.

Nora Robins, adjacent neighbor, spoke regarding concerns with the size of the new structure.

Paul Hirezi, Owner, agreed that he would look into salvaging materials from the work site. Mr. Hirezi has made arrangements with Ms. Cynthia Ward, architectural consultant, for storage of salvageable materials from site for historic preservation.

Ms. Broeren inquired if the HRB has plans for storing salvageable materials.

Mr. Santiago advised that the HRB does not have storage space at this time for these materials.

Ms. Broeren inquired if there was a specific non-profit project where such materials would be incorporated into a structure. Ms. Ward responded that the Santa Ana Historical Society holds an auction to disperse of such materials to the public and could be asked to keep track of materials coming from Huntington Beach. Ms. Ward was not aware of such restoration projects in Huntington Beach.

Ms. Broeren inquired if there was a clearing house for such restoration projects. Response was none known at this time.

Ms. Boeren stated that it was her general understanding from Planning Staff that it was the applicant's intent that the property would be compatible with the neighborhood.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Broeren approved Negative Declaration with the findings as suggested by staff.

NEGATIVE DECLARATION NO. 2007-003 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

SUGGESTED FINDINGS FOR APPROVAL – NEGATIVE DECLARATION NO. 2007-003

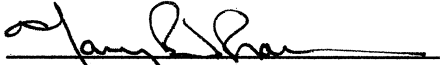
1. Negative Declaration No. 2007-003 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of twenty (20) days. Comments received during the comment period were considered by the Zoning Administrator prior to action on the Negative Declaration.
2. There is no substantial evidence in light of the whole record before the Zoning Administrator that the project will have a significant effect on the environment. The Historic Record Survey completed for the property indicates that the structure is not in its original condition and that it has been substantially and irreversibly altered. The survey further concludes that the property does not meet any of the criteria to be considered historically significant.

The subject property was also included as part of the Windshield Survey of the 1986 Historic Resources Survey Report for the City of Huntington Beach. Each of the 556 buildings included in the windshield survey were given an A, B, C, or D rating. Only A-rated and B-rated buildings were found to be "architecturally important". The subject property, along with the majority of the buildings in the survey, was given a C-rating, which means that while the buildings retain most of their original style, they are of modest design and are generally important when they are part of a group of structures that may convey a sense of history by retaining the image of the original neighborhood. However, the residence at the subject site has been altered substantially since the time the survey was conducted and would not reflect the original image of the neighborhood. While the General Plan has given a local landmark designation to the Wesley Park section and identified the area as a potential Historic/Conservation District, no standards or requirements have been adopted to preserve the area. This has resulted in many alterations to properties within the area over the years. Based on the findings of the Historic Record Survey Analysis, the project's potential impacts on the Wesley Park section as a significant historic resource are considered less than significant.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

THE MEETING WAS ADJOURNED AT 2:00 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, AUGUST 29, 2006 AT 1:30 PM.



Mary Beth Broeren
Zoning Administrator

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